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REMARKS

This paper is responsive to the Non-Final Office Action dated May 7, 2004. Claims 1 – 36 were examined. Claims 1 – 24 and 27 – 30 are allowed. The Office has objected to claims 31 and 32, but has indicated these claims as allowable. Claims 25 – 26 and 33 – 36 stand rejected.

Rejection under 35 U.S.C. §101

The Office has rejected claims 25 and 26 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant has amended claim 25 to include “computer implemented.” The “computer implemented lock manager” permits functionality to be realized. Claim 25 is directed to statutory subject matter. Applicant submits that claims 25, 26, 31, and 32 are in condition for allowance, and respectfully requests withdrawal of the rejections and objections.

Nonstatutory Provisional Double Patenting Rejections

The Office has provisionally rejected claims 25, 26, 31, and 32 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of co-pending U.S. Patent Application No. 09/992,721. A terminal disclaimer accompanies this response.

Rejection under 35 U.S.C. §102(e)

The Office has rejected claims 33 – 36 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. US 2003/0101300, naming Jonathan S. Goldick as an inventor (*Goldick*). Applicant respectfully traverses these rejections.

The rejection of claim 33 refers to the entire disclosure of *Goldick*. *Goldick* does not disclose or suggest “**testing bulk locking capability delegation validity of each of a plurality of locking capabilities** to be delegated to one or more delegatee entities from one or more delegator entities, said testing based, at least in part, on **conflicts relationships amongst the delegatee entities**” as recited in claim 33. *Goldick* discloses operations that test and evaluate resources to determine whether access should be permitted to the resources and/or whether the resources should be locked. The operations evaluate whether resources or portions

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of a hierarchical resource association should be locked (paragraphs [0050] – [0051]). The operations are extended with a **bulk lock method that supports acquisition of a single lock for multiple resources** (paragraphs [0052] and [0059]), **but not delegation of bulk locking capabilities from a delegator entity to a delegatee entity**. *Goldick* does not disclose or suggest bulk locking capability delegation and especially does not disclose or suggest testing bulk locking capability delegation validity **based on conflicts relationships amongst delegatee entities**. *Goldick* evaluates resources to determine if the resources require locking, and does not test or evaluate relationships amongst clients.

For at least the reasons above, claim 33 is allowable over the art of record. Claims 34 – 36 are at least allowable because they depend from the allowable independent claim 33. Therefore, Applicant respectfully requests withdrawal of the rejections.

Allowed Claims

Applicant appreciates the Examiner's reasons for allowance. Applicant respectfully submits that the claims are allowable because the art of record fails to teach, alone or in combination, the invention described in at least each of the independent claims.

In summary, claims 1 – 36 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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 Steven R. Gilliam	Aug - 5 - 2004 Date

Respectfully submitted,



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